IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.54922-M of 2004

DATE OF DECISION:27.10.2006

Dineshwar Goel .....Petitioner

Versus

Shashi Bhushan .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri N.K. Sanghi, Advocate
for the petitioner.

Shri DD Sharma, Advocate
for the respondent.

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The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of the complaint bearing No. 133 dated 9.6.2003 as well as summoning order dated 10.2.2004 passed by Judicial Magistrate Ist Class, Barnala.

After arguing the case for some time, counsel for the petitioner confines his prayer to the extent that the personal appearance of the petitioner be exempted before the trial Court and further prays that he be permitted to withdraw this petition with a liberty to raise all the points raised in this petition at the appropriate stage of trial.

In view of the above, this petition is dismissed as withdrawn with a liberty to raise all the points raised in this petition at the appropriate stage of trial.

However, in case, the petitioner files an application for personal exemption before the trial Court, the same shall be considered and decided by the trial Court in view of the law laid down by the Supreme Court in **M/s Bhaskar Industries Ltd.** Vs. **M/s Bhiwani Denim & Apparels Ltd.,** 2001 (4) RCR (Criminal) 137.

October 27, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**